

REMARKS

This amendment is submitted in response to the final Office Action mailed April 11, 2007 and the Notice of Panel Decision mailed October 15, 2007. After entry of this amendment, claims 25-40 will be pending. Claim 25 is independent.

Claims 25 has been amended to recite a “delivery member . . . being shaped in a continuous solid cylindrical configuration.” Support for this amendment appears, *inter alia*, in Figures 1-6 of the specification as filed.

Rejections Under 35 U.S.C. § 102(b)

Claims 25-40 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 5,713,853 to Clark *et al.* (“Clark”). This rejection is respectfully traversed.

Independent claim 25 recites a “delivery member . . . shaped in a *continuous solid* cylindrical configuration.” (Emphasis added.) Clark does not disclose, teach, or suggest a “delivery member . . . shaped in a continuous solid cylindrical configuration.” Instead, Clark describes a catheter 700 “with an expandable distal portion which can be used for drug delivery,” wherein the distal portion “preferably comprises a *plurality of longitudinal ribs* 706 having proximal and distal ends depending from the shaft.” (Col. 13, lines 45-46, 54-57 (emphasis added).) The plurality of ribs 706 can be seen in Figures 24-25. The plurality of ribs do not form a delivery member with a “continuous solid cylindrical configuration.” Rather, as described in the specification and seen in Figures 24-25 of Clark, there are gaps between the ribs. This is intentional. Clark explains: “Blood or other fluids can flow through the region defined by the ribs 706. Thrombolytic material greater than the distance between the ribs will be caught by the ribs.” (Col. 14, lines 38-40.) Thus, Clark does not disclose, teach, or suggest each and every element of claim 25.

Therefore, Applicants respectfully request that the rejection of independent claim 25 be withdrawn. Because dependent claims 26-40 depend from independent claim 25, Applicants respectfully request that the rejection of claims 25-40 be withdrawn for at least the same reason that the rejection of independent claim 25 should be withdrawn.

CONCLUSION

It is believed that claims 25-40 are in condition for allowance. Should the Examiner not agree with any of Applicants' positions or arguments herein, a telephonic or personal interview is respectfully requested to discuss and resolve any remaining issues.

An RCE is filed herewith. Aside from the \$810 fee for the RCE, no fee is believed due for this response. Please charge the fee for the RCE and any additional fee(s) due at this time to Jones Day Deposit Acct. No. 50-3013.

Date: November 13, 2007

Respectfully submitted,



58,442

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